2016 Apr-22 PM 04:35

U.S. DISTRICT COURT

N.D. OF ALABAMA

AO 241 (Rev. 12/14)

CV-16-BE-0649-W

PETITION UNDER 28 UNE O DOUG LIABERS MARPUS RY A PROSAULIU STATE MUSTATOV

HUDGO COKING BY IN (SECON (N 2) HIE COSTODY		
united States District Court " Lister Nov	them Division	
Name (under which you was convoked) Vertis Anthony 2016 APR 22 A 11:23	Docket or Case No.	
Place of confinement: U.S. DISTRICT COURTAINSON M.D. OF ALABAMA 282		
Petitroner Cinclude the naute under which you was convicted) Vertis Anthony V. Christorpher Coordy Respondents (authorized persons having Castaly		
The Attorney General of the State of Alabama		

· · · · · · · · · · · · · · · · · · ·
PETITION
Ka) Name and Location of Court that entered the judgment of Conviction you are Challenging: Draper Correctional Center 2028 Halkuna Hopking 143 Elmore, Alabama 30025
(6) Criminal docket or case number (if you know): N/A. Disc#: DCF-15-01396-1
2(a) Date of the judgment of conviction (if you know): 08/07/2015
3. Length of Sentence: Disciplinary Sea for 25 days
TITE this case, were you convicted on more than one count or of more than one crime?
5. Identify all crimes of which you were convicted and Sentenced in this case 1906. Assault on involve
(6) What was your plea? (Check one) [I (1) Not guilty [I (3) Noto Contendrere (no contest) [I (2) Guilty [II (4) Insunity Plea (6) If you entered a guilty Plea to one count or charge and a not guilty Plea to another count or charge, what did you plead not guilty to?
(c) If you went to trial, what Kind of trial did you have? (check one) I Judge only 7. Did you testify at a hearing,? IT ves INO 8.Did you testify at a hearing,? IT ves INO
8. Did you appeal from the judgment of Conviction? IT Yes Tho
9. If you did appeal, answer the following:
(a) Name of Court:

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- (b) Docket or case number (if you know):

 (c) Rosult

 (d) Dote of result (if you know)

 (e) Citation on the case (if you know);

 (F) Grounds vaised;
- (g) Did you seek further review by a higher state court? I yes I No
 If yes, answer the following:

 (1) Name of Court:

 (2) Docket or Case number (if you know)

 (3) Result:

 (4) Date of result (if you know):

 (5) Citation to the case (if you know):

- (h) Did you file a petition for certionar: in the United States Supreme County Tyes Tho
 - (1) Docket or case number (if you know):
 - (2) Resulti

(6) Grounds vaised:

(3) Date of result Cityou know):

If yes, answer the following:

- (4) Citation to the case (if you know):
- 10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions conserving this judgment of conviction in any state Court?

II yes

W NO

	Case 7.10 07 00040 1000 Coo Doddinent 1 1 1100 04/22/10 1 age 0 01 10	
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, and the second	11. If your answer to Question 10 "Yes", give the following information: (a) (1) Name of Court: (2) Dacket or Case number (if you know) (3) Date of filing (if you know)	
	(4) Nature of the preceeding: (5) Gounds raised:	
	(4) Nature of the proceeding: (5) Doll you receive a hearing where evidence was given on your Pe application, or Motion! IT Yes IT NO (7) Result: (8) Date of result (if you know): (b) If you filed any second petition, application, or motion, give the same? (1) Name of Court: (2) Docket or Case number (if you know): (3) Date of filing (if you know): (4) Nature of the proceeding: (5) Grounds vaised:	
	(6) Did you receive a heaving where evidence was given on y application, or motion? I Yes INO (7) Result:	our peti

(1) Name of Court:

information:

(8) Date of result (if you know):

WII you filed any third petition, application, or motion, give the service

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·	(2) Docket or case number (if you know):
	(3) Date of filing (if you know):
	(4) Nature of the proceeding:
	(5) Grounds raised:
	(6) Did you receive a heaving where evidence was given on your petition
	application, or metion? I Yes I No
	(7) Kesult:
	(8) Date of result (if you know):
	Did you appeal to the highest State court having juvisdiction over the act
	ion taken on your petition, application, or Motion?
	(1) First petition: 1 4es 1 No
	(2) Second petition. Thes Die
	(3) Third petition: Tyes INO
	(e) If you did not appeal to the highest State court having jurisdiction,
	explain why you did not:

12. For this petition, State every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts Supporting each ground.

CHUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your quaitable state-court remedies on each ground on which you request action by the Sederal court. Also, it you fail to set forth all the grounds in this Petitron, you may be barred from presenting additional grounds at a later date.

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GROUND ONE:

(a) Supporting facts (Do net argue or cite law. Just state the specific facts that support your claim)

COTI you did not exhaust your State remedies on Ground One, explain why:

(c) Direct Appeal of Ground One:

(1) If you appealed from the judgment of Convoction, did you raise this issue? IT yes I No

(2) If you did not raise this issue in your direct appeal, explain why:

WPost - Conviction traceedings:

(1) Did you raise this issue through a post-Conviction nuction or petition for habous

Corpus in a State trial court? It les INO

(2) If your answer to Question (d)() is "Yes," State:

Type of motion or petition:

Name and Location of the court where the motion or petition was filed:

Docket or case number (if you know)

Date of Court decision:

Resulf attack a copy of the court's opinion or order, if available):

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	(3) Did you receive a heaving on your motion or petition? I tes I No (4) Did you appeal from the devial of your Motion or petition? I tes I No (5) If your answer to Question (1) 'Yes," did you raise this issue mapped? I (6) If your answer to Question (1) is "Yes," State Name and location of the court where the appeal was tiled:
	Docket or case number (if you Know): Date of the Court's do som:

(I) If your consumer to Question (d)(4) or Question (d)(5) is "No," explain why you did not rake this @Other Remedies: Lescribe any other proceedure Couch as habees corpus, administrative remedies, otc) that you have used to exhaust your state verredies on Ground One:

Result Cattach a copy of the court's opinion or order, if available):

GROUND TWO:

a Supporting facts (Do not argue or cite law. Just state the specific facts that support your lain)

WII you did not exhaust your state remedies on Ground Two, explain why:

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,	(i) If you appealed from the judgment of conviction, did you vaise this issue? (2) If you did not vaise this issue in your direct appeal, explain why:
	(d) Host-Conviction trockedings: (1) Did you raise this issue through a post-Conviction motion or petition for habous corpus in a state trial Court? II tes II No (2) If your answer to Question (dXI) is "Yes," state: Type of mation or petition: Name and location of the court where the motion or petition was filed.
	Decket or case number (if you know) Date of the Court's decision: Result Cattach a copy of the court's opinion or order, if available): 3) Didyoureceive a heaving on your metian or petition? If yes II No (4) Did you appeal from the denied of your Motion or petition? If yes II No (5) If your answer to Questian (d)(4) is "tos" did you raise this issue in the appeal? If yes I (6) If your answer to Questian (d)(4) is "tes", state Name and Lecction of the Court where the appeal was filed:
	Darket or Case number (if you know): Date of the Court's decision: Knowl (attach a copy of the court's opinion or order, if available): (VIII your answer to Question (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue.

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(e) Other Remedies: Describe any other procedures (such as habeas carpus, administrative remedies, etc.) that you have used to exbaust your state remedies of Grand Two

GROUND THREE

a Supporting facts (Do not argue or cite law. Just state the specific facts that support your class)

CDIF you did not exhaust yours state remedies on Ground Three, explain why:

@Direct Appeal of Ground Three:

(2) If you did not revise this issue in your direct Aprel, explain why?

(d) Post-conviction-traceodings:

(1) Did you raise this issue through a post-conviction motion or petition for habeas

Corpus in a state trial Court? II Yes II No

(2) If your answer to Question (dX) is " tes; " State:

Type of Motion or Petition:

Name and Localizer of the court where the wolfen or petitien was filed!

Locket or case number (if you know):

Date of the court's decision:

KesultCatteren a copy of the court's opinion or order, if available):

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(3) Did you receive a hearing on your nation or petition? It tes INC

(4) I'd you appeal from the deciral of your motion or Petition? It tes II No

(5) If your answer to Question (d) (4) is "Yes," did you Rais this issue in the appeal I yes INO

(6) If your answer to Question (d) (4) is "Yes," state:

Name and Location of the court where the appeal was filed:

Lacket of Case number (if you know)

Date of the Court's decision:

tesulf (attach a copy of the court's opinion or order, if available);

(7) II your answer to Guestian (dX4) or Questien (dX5) is "No," explain why you did not rais this issue:

(e) Other Kennedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc) that you have used to exhaust your state remedies on Ground Three.

GROUND FOUR:

(a) Supporting facts Do not argue or cite law. Just state the specific facts that support your clair

WII you did not exhaust your state remedies on Ground Four, explain why:

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@ Direct Appeal On Ground Form:
(1) If you appeal from the judgment of conviction, did you raise this issue? [] yes [
(DIF you did not raise this issue in your direct appeal, explain why:
Of a - conviction Proceedings:
WDid you raise this issue through a post-conviction nuction or petition for heade
Corpus in a state trial Court? II yes II No
(2) If your answers to Gastion (d)(1) is "Yes," State:
Type of Motion or Petition:
Name and Location of the court where the notion or petition was filed:
Locket or case number (if you know):
Kesult Cattach a copy of the courts opinion or Order, if available):
(3) Lid you receive a hearing on your motion or petition? I yes I No
(4) Lid you appeal from the derival of your motion or Petition? IT was IT No
(5) If your answer, to Galastian (dX4) is "tos", did you raise this issue in the appeal? I you I was
COIT your arsus. to Question (d/4) is yes, State
Name and Location of the court where the appeal was filed.
Docket or case number (if You Know) Date of the Court's decision: Hosul- (attach a copy of the court's opinion or order, if available):
Date of the court's decision:
Hosul- Lattach a copy of the court's opinion or order, if available):

(7) If your answer to Guestien (dX+) or Questien(dX5) is "No" explain Why you did not raise this issue:

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(e) Other Remedies: Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground for:

Bit lease answer these additional question about the petition you are filing:

(a) Have all grounds for relief that you have rarsed in this petition been presented to the highest State court having jurisdiction? II to II No II No II your answer is "No," state which grounds have not been so presented and give your reason(s) for not presenting them:

(b) Is there any grounds in this petition that has not been presented in some State of Federal Court. It so, ground or grounds have not been presented, and State your reasons for not presenting them.

Attave you previously filed any type of petition, application, or aution in a federal Court regarding the conviction that you Challanged in this petition? I post the I "log," state the name and localized of the court the docket or case number, the type of proceeding, the issues raised, the date of the court's decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion or order, if available.

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15. Do you have any potition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging? I yes II No

If yes," state the name and location of the wort, the docket or case numbers the type of proceeding, and the issues varised.

- We coive the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are Challenging:

 (a) At preliminary hearing:
 - (b) At perraignment and Plea:
 - (c) Attrial:
 - (d) At Sentiencing.
 - (e) On appeal.

(F) In any post-conviction proceeding:

- (9) On appeal from any ruling against you in a post-Conviction proceeding:
- 17. Do you have any future Sentence to serve after you complete the Sentence for the judgment that you are Challenging? IT yes IT No (a) It so give name and location of Court that imposed the other Sentence you will serve in the future:

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- (b) Give the date the other Sentence was imposed:
- (c) Give the length of the other Sentence:
- (d) Have you filed, or do you plan to lile, any petition that Challenges the Judgment or Sentence to be served in the Juture? II tes II No 18. Timeliness of Petition: If your judgment of conviction become final Over one year ago, you must explain the one-year statute of limitations as Contained in 28 U.S.C. & 2244(d) does not bar your petition.*